

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

SARAH L. SNYDER,

Plaintiff,

v.

CIVIL ACTION NO. 3:18-1021

LAKIN CORRECTIONAL CENTER;
W.V. DIVISION OF CORRECTIONS;
LAKIN HEAD OF MEDICINE (JANE DOE);
LAKIN NURSE PRACTITIONER (JANE DOE);
LAKIN CORRECTIONAL OFFICER (JOHN DOE); and
LAKIN HOUSING UNIT OFFICER (JOHN DOE),

Defendants.


MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Court grant Defendant Lakin Correctional Center and West Virginia Division of Corrections' Motion to Dismiss Plaintiff's Complaint and the Amended Motion to Dismiss (ECF Nos. 11, 17); dismiss the Amended Complaint, with prejudice, as to Plaintiff's claims alleging violations of federal law against Defendants, and without prejudice as to Plaintiff's claims alleging medical negligence against Defendants (ECF No. 15); and remove these Defendants from the docket of the Court. Neither party has filed objections to the Magistrate Judge's findings and recommendations.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **GRANTS** Defendant Lakin Correctional Center and West Virginia Division of Corrections' Motion to Dismiss Plaintiff's Complaint and the Amended Motion to Dismiss (ECF Nos. 11, 17); **DISMISSES** the Amended Complaint, **with prejudice**, as to Plaintiff's claims alleging violations of federal law against Defendants, and **without prejudice** as to Plaintiff's claims alleging medical negligence against Defendants (ECF No. 15); and **REMOVES** these Defendants from the docket of the Court, consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: August 2, 2019



ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE